

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
CARDELL DEWAYNE JOHNSON,)
)
Defendant.)

Case No. 8:08CR234

**AMENDED
REPORT AND RECOMMENDATION
AND ORDER**

At the conclusion of the hearing on January 7, 2009, on defendant's Motion to Suppress (Evidence) [27] and Motion to Suppress (Statements) [28], I stated my conclusions on the record and my decision to recommend that the motion to suppress be denied. However, the court reserves its ruling regarding the signature on the affidavit/search warrant, pending the receipt of the parties' briefs, due on January 21, 2009. In accordance with that announcement,

IT IS RECOMMENDED to the Honorable Laurie Smith Camp, United States District Judge, that the Motions to Suppress [27] and [28] be denied in part, subject to the court's ruling on the affiant's signature on the search warrant.

FURTHER, IT IS ORDERED:

1. The clerk shall cause an expedited transcript of the hearing to be prepared and filed.

2. Pursuant to NECrimR 57.3, any objection to this Report and Recommendation shall be filed with the Clerk of the Court within ten (10) days after the unredacted transcript is available to counsel, or the court's written ruling on the reserved issue, whichever is later. Failure to timely object may constitute a waiver of any such

objection. The brief in support of any objection shall be filed at the time of filing such objection. Failure to file a brief in support of any objection may be deemed an abandonment of the objection.

Dated this 8th day of January 2009.

BY THE COURT:

S/ F.A. Gossett
United States Magistrate Judge